

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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UNITED STATES OF AMERICA,  
Plaintiff,

vs.

MYKEL DENNY LOFTUS,  
Defendant.

MEMORANDUM DECISION AND  
ORDER GRANTING DEFENDANT'S  
MOTION FOR EARLY  
TERMINATION OF SUPERVISED  
RELEASE

Case No. 2:08-CR-599 TS

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This matter is before the Court on Defendant's Motion for Early Termination of Supervised Release. The government has been notified of the Motion, been presented a reasonable opportunity to object, and has not done so.<sup>1</sup> Having considered the file, the circumstances presented by this case, and being otherwise fully informed, the Court will grant Defendant's Motion, as set forth below.

I. BACKGROUND

Defendant was charged in the Western District of Washington with Conspiracy to Possess Stolen Government Property. Defendant was sentenced on January 5, 2007, to a six month term

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<sup>1</sup>Fed.R.Crim.P. 32.1(c)(2)(C).

of imprisonment to be followed by a thirty-six month term of supervised release. Jurisdiction of Defendant's supervision was later transferred to the District of Utah. Defendant began his term of supervised release on November 6, 2007.

## II. DISCUSSION

18 U.S.C. § 3583(e) permits the Court to terminate supervised release at any time after a defendant has completed at least one year of supervised release, but prior to completion of the entire term, if the Court is satisfied that such action is 1) warranted by the conduct of an offender and 2) is in the interest of justice. In making this determination, the Court is directed to consider the factors set forth in 18 U.S.C. § 3553(a), to the extent they are applicable.

The Court has considered these factors, has reviewed the docket and case file, and has consulted with Defendant's supervising officer. It has been represented to the Court that Defendant has been compliant with the terms of his supervised release and has complied with all requests of the probation office. It has been further represented that Defendant has obtained full-time employment and is up-to-date on his financial obligations.

The Court finds that early termination of Defendant's term of supervised release is both warranted by the conduct of the offender and in the interest of justice.

## III. CONCLUSION

Based upon the above, it is hereby


ORDERED that Defendant's Motion for Early Termination of Supervised Release (Docket No. 7) is GRANTED. It is further

ORDERED that Defendant's term of supervised release shall be terminated effective immediately, and this case shall be closed.

SO ORDERED.

DATED this 18th day of May, 2009.

BY THE COURT:

  
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TED STEWART  
United States District Judge